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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of: Elmaleh et al. )  
 Serial No.: 09/945,166 )  
 Filed: August 31, 2001 )  
 For: Targeted Nucleic Acid Constructs And  
 Uses Related Thereto )

Group Art Unit: 1635

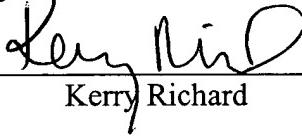
Examiner: Schmidt, Mary M.

#12/K.T.  
11/21/03

ELECTION

**CERTIFICATE MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 18, 2002.

  
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 Kerry Richard

Assistant Commissioner for Patents  
 Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction Requirement, which was mailed from the U.S. Patent and Trademark Office on November 18, 2002, in the above-identified patent application, Applicants provisionally elect with traverse, Group I, claims 1-14, which are drawn to targeted oligonucleotide constructs, classified in class 536, subclass 23.1. Applicants further reserve the right to prosecute the non-elected claims in a later application.

Applicants traverse this Restriction Requirement on the grounds that search of the claims of one group would necessarily include a search of the claims of the remaining groups; therefore, examination of all claims would not place an undue burden on the Examiner.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-1448.

Respectfully submitted,

FOLEY HOAG LLP

By:

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